

THE <sup>578 R. 5</sup>  
CHARGE

OF

Sir John Gonson Knt. <sup>Know  
meed</sup>

TO THE

GRAND JURY

OF THE

Royalty of the Tower of London,  
and Liberties and Precincts thereof.

At the General Quarter-Sessions of the Peace for  
the said *Royalty*, &c. held the sixteenth Day  
of *July*, 1728. at the *Court-House* on *Great  
Tower-Hill*.

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*Printed at the Desire of the Justices of the Peace  
for the said Royalty, and of the Grand  
Jury.*

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L O N D O N :

Printed by CHARLES ACKERS, in *Great-Swan-Alley*,  
*St. John's-Street*. MDCCXXVIII.

*Turr' & Libertat.*  
*Turr' London.*

*Ad Generalem Quārterialem Ses-*  
*sionem Pacis Domini Regis tent' apud*  
*le Court-house super Towerhill,*  
*magna infra Libertat' Turr' dicti*  
*Domini Regis London. Prædict' in*  
*& pro Libertat' Prædict' & Præ-*  
*cinēt' ejusdem, Die Martis (scilicet)*  
*Decimo Sexto Die Julii, Anno Reg-*  
*ni Domini Georgii Secundi, nunc*  
*Regis Magnæ Britanniae, &c.*  
*Secundo.*

**W**HEREAS Sir *John Gonson* Knight, Chairman  
 at this General Quarter-Sessions of the Peace,  
 held for the *Tower of London* Liberties, and Pre-  
 cincts thereof, having this Day given to the Grand  
 Jury, sworn at this present Sessions of the Peace,  
 held for the said Liberty, a Loyal, Learned and In-  
 genious Charge, and tending much to the Promoting  
 of Virtue and Religion; it is unanimously Agreed,  
 and Ordered by this Court, That the Thanks of  
 this Court be, and the same are hereby given, to the  
 said Sir *John Gonson* for such his Charge. And fur-  
 ther, this Court desires, that he would be pleased to  
 cause the same to be Printed.

*Per Curiam*

**BRUNCKER.**



To the W O R S H I P F U L

Sir *John Gonson* Knt.

C H A I R M A N of the General  
Quarter-Sessions of the Peace,  
held for his Majesty's Roy-  
alty of the *Tower of London*,  
the sixteenth Day of *July*,  
1728.

**W**E the Grand Jury, sworn to  
enquire for the Body of the  
Royalty of the Tower of Lon-  
don, having this Day received a  
most Loyal, Learned, and Inge-  
nious Charge by your *Worship*,  
Do hereby return you our most  
bearty Thanks for the same; and  
A 2 pray,



*pray, that you will be pleased, to  
cause the same to be Printed.*

Henry Willoughby.

Henry Dean.

Ralph Arnold.

James Wood.

Peter Gayd.

Tho. Hutchinson.

Tho. Simmons.

Wm. Hookham.

Will. Higgins.

Sam. Knowles.

James Swaine.

John Smith.

Charles Woolmer.

Wm. Harper.

Wm. White.

John Harper.

Richard Brett.



T H E





T H E  
C H A R G E  
O F

*Sir John Gonson Kn<sup>t</sup>.*

*Gentlemen of the Grand Jury,*



It is the peculiar Happiness and Glory of us in *Great-Britain* to be in the strictest Sense a free People, and to live under a Constitution of Government so admirably fram'd, that it secures as great Powers and Privileges to the Crown, as any wise and good Prince can desire, who will own his People as Subjects and not as Slaves; and at the same Time reserves most valuable

luable Rights and Liberties to the People. There is that due Balance in Property, Power and Dominion in our Constitution, that, like the ancient Government of *Sparta*, it may be call'd an Empire of Laws, and not of Men. Every Subject of *Great-Britain* has the same Right to what he can acquire by his Labour, and Industry, as the King hath to his Crown ; no Man can be Imprisoned, unless he has transgressed a Law made by the Representatives of his own Choosing, nor be tried but by a Jury of his Neighbours. A greater Inheritance (saith my Lord *Coke*) is derived to us by our Laws, than from our Parents. For without the former what would the latter signify ?

AND as this most happy Constitution hath been maintained at the Expence of Millions of Treasure, and came down to us swimming in the Blood of our Ancestors, who always esteemed it the most valuable Legacy, which they could leave their Posterity ; so GOD Almighty, by a kind and over-ruling Providence, hath  
olden  
still

still preserved us a free People ; our Government having stood the Shock of Ages from its Original ; particularly of the last, when so many Attempts were made to turn our limited Monarchy into Tyranny. And this inestimable Blessing we ought the more to value, if we look Abroad into the Kingdoms, that lie nearest and are best known to us ; in some of which we shall not find the very Shadow of Liberty left ; and in many there is no more than the Name of it remaining. *Spain, Portugal, Sweden, Denmark and France* were all, an Age or two ago, limited Monarchies, govern'd by Princes well advised by Parliaments or Cortes, and not by the absolute Will of one Man. But now all their valuable Rights and Liberties are swallowed up by the arbitrary Power of their Princes ; whilst we, happy *Britons*, are in many Things the Envy as well as the Wonder of other Nations, and almost the last of the *Northern* Kingdoms of *Europe*, that have preserved this our ancient and well balanced Government. Remarkable is that Account,  
which



which we read of concerning *Monsieur Mezeray*, the famous *French* Historian, who towards the Close of the last Century, discoursing with a Per-

Mr. Hampden.

son of Quality of our own Nation, about the Difference of Government in *France* and *England*,

broke out into these Expressions,

“ We had once in *France* (says he) the  
 “ same Happiness and the same Pri-  
 “ vileges, which you have ; our Laws  
 “ were made by Representatives of our  
 “ own Choosing ; our Money was not  
 “ taken from us, but by our own Con-  
 “ sent ; our Kings were subject to the  
 “ Rules of Law and Reason : But now,  
 “ alas ! we are miserable, and all is lost.  
 “ Think nothing, Sir, too dear to main-  
 “ tain these precious Advantages, and,  
 “ if ever there be Occasion, venture  
 “ your Life and Estate, and all you  
 “ have, rather than submit to the Con-  
 “ dition, you see us reduced to”.

THUS sensibly did this great Man lament the lost Liberties of his Country.

As to the Excellency, Wisdom and Justice of our Laws, the daily Benefits and Advantages, which we all receive from them, give them a Character beyond all the Rhetorick imaginable.

WE of this Age enjoy such a Collection of Blessings, as ought to be viewed with the highest Sentiments of Joy and Thanksgiving to Almighty G O D. A King upon the Throne form'd for the Happiness of all, that live under his Government, who is ever Securing and inviolably Maintaining all the legal Rights and Liberties of his Subjects, and whose only Ambition is to make them all easy and happy. And with such a King we have a most Virtuous, Pious and Excellent Queen, and a numerous Royal Progeny, eminent for all princely Virtues and Endowments, promising Happiness to our latest Posterity at distant Ages.

GENTLEMEN,

OUR most admirable Laws preserve their Honour, and best exert their Power

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and

and Force, by a due impartial and vigorous Execution, and an equal Distribution of Justice. And our Lives, Liberties, and Properties, in a great Measure, depend upon the due Execution of that great Power, which, by the Wisdom of our Constitution, is intrusted with Grand and Petty Juries. You are therefore summoned here, and sworn to enquire, and present to us all such Crimes and Offences, as fall within the Cognizance of this Court.

ALL Manner of Crimes are presentable by you, from the highest to the lowest Offences, from High Treason to Trespass: But tho' High Treason, Petty Treason, Burglary, and Felonies of all Sorts are enquirable by you and every Grand Jury; yet because Bills of Indictment for these Crimes are seldom or never brought before you at this Quarter-Sessions, but prosecuted at another Place, I shall omit to give you in Charge any capital Offences, and confine myself to those Offences only, that are both Enquirable and Punishable here.

IN



I N the first Place the Honour and Service of Almighty G O D, ought to be our chiefest Care. And we should all endeavour, if possible, to put a Stop to that Deluge of Profaneness, that has so overspread the Nation, and it were happy if our Holy Religion did not suffer as well from its Enemies Diligence to corrupt our Principles, as from the wicked Lives of its Professors.

T H E R E F O R E you are to enquire of all Offences against the Act of the ninth Year of King W I L -  
 L I A M the Third, for the more <sup>9 & 10 W III. C. 32.</sup> effectual Suppressing Blasphemy and Profaneness, and particularly of all Books and Pamphlets wrote against the *Christian* Religion, or the divine Authority of the Holy Scriptures: There are several late Writers, who go under the Names of *Deists*, but are really *Atheists*, without G O D in the World, renouncing his Providence, and even denying the L O R D  
 that bought them; pretending

<sup>2 Peter ii. 1.</sup>

indeed an Enquiry after sensible Ideas of the spiritual and supernatural Truths of eternal Life : Whereas, with all their boasted Reason, they are not able to give an Idea of the Breath of natural Life, nor can tell the Composition of the least Pile of Grass; and yet, by rational Demonstration, would determine and judge of Things invisible, which can only be the Objects of Faith in the Word of G O D. Several of these Authors deny the Immortality of the Soul, and the future State of Rewards and Punishments, and would subject Mankind to a Baseness and Wretchedness inferior to the worst of Brutes, and thereby also dissolve the Bond of Security and Peace among all human Societies, and Relations, which can only consist in the Fear of G O D, and the Practice of Religion.

IF you cannot find out the Authors, present the Printers and Publishers of all these Wicked and Blasphemous Books.

Y o u

Y o ū have heard his Majesty's Proclamation read to you, for the Encouragement of Piety and Virtue, and for the Preventing and Punishing of Vice, Profaneness, and Immorality, and the Causing it to be thus publickly read, is one Part of the Duty of the Court, but not the whole; for his Majesty therein commands his Judges of Assize at their Assizes, and his Justices of the Peace at their General Quarter-Sessions, to give strict Charges for the effectual Prosecution and Punishment of the Offenders of all Sorts and Kinds mentioned therein: And also of all Persons, that, contrary to their Duty, shall be Remiss and Negligent in Putting these good Laws in Execution. The Offences, expressly mentioned in this most Excellent Proclamation, are, Excessive Drinking, Blasphemy, Profane Swearing and Cursing, Lewdness, Profanation of the LORD's Day; all publick Gaming, and Gaming-Houses, and other lewd and disorderly Practices.

DRUNKEN-



DRUNKENNESS is a Vice, that calls aloud for your Redress upon a double Account; 1. Upon a Religious one, as it is an Offence against Almighty G O D; and, 2. Upon a Political one, because it reduces whole Families to Poverty and Ruin. One of our Statutes fixes this infamous Character upon the

4 Jac. I. C. 5.

Vice of Drunkenness, That it is Odious and Loathsome, the Root and Foundation of Blood-shed, Stabbing, Murder, Swearing, Fornication, Adultery, and such like enormous Sins, to the great Dishonour of Almighty GOD, and of our Nation, the Overthrow of many good Arts and Manual Trades, the Disabling of divers Workmen, and the general Impoverishment of many good Subjects, abusively Wasting the good Creatures of G O D.

IF this was a lively Description of the sad and fatal Consequences of this brutish Immorality at the Passing of this Act, which is above a hundred and twenty Years ago, when the Nation in general was, comparatively speaking, much  
more

more Virtuous than it is now; what abundant Reason have we to do our utmost to suppress this Vice, that is at present so recent amongst us, and which, daily Experience shews, often drowns the best Natural Parts, and renders Men wholly unserviceable to the Community?

A common Drunkard is Indictable in Sessions, as well as Punishable in a summary Way, and yet we seldom hear of any Offenders of this Kind presented by Grand Juries, notwithstanding this Offence is so common and notorious.

A common Swearer is a Nuisance to the Place where he lives. I am sorry that it is still too true, what that great and good Man, Arch-Bishop TILLOTSON, says in a Sermon against Swearing, That a Man cannot walk the Streets without having his Ears grated with this hellish Noise. We may justly wonder at the Patience and merciful Forbearance of our Great GOD, in not Punishing these impious Wretches, by an immediate  
Stroke

Stroke of his Almighty Vengeance, in not Sinking them quick into that irrecoverable State of Damnation, which they so often and earnestly imprecate upon themselves, for the Confirmation of some trifling Matter, and sometimes of a downright Falshood. And as this is a Sin very Dishonourable to GOD; so it is in this Particular extreamly Dangerous to human Societies: For profane Cursing and Swearing contributes much to the Growth of Perjury. Oaths are little minded when common Use has sullied them, and every Minute's Repetition has made them cheap and common; Who can believe, that a Man, who hourly provokes GOD by rash and vain Swearing, should stick at a false Oath, whenever his Ambition, his Covetousness, or his Revenge prompt him to it, and importunately Demand to be gratified, tho' at so vast a Price? Besides, At how low a Rate do such Men value their Souls, who expose them to the Wrath of GOD, and Eternal Damnation, by a  
Sin



Sin, from which they cannot reap the least Profit or Pleasure?

IF any Constables are Remiss or Negligent in their Duty, in Taking up and Giving Information against these Offenders, it is your Duty to Present such Constables, that they may be Punished and Fined.

THE Profanation of the LORD's Day is of late very Notorious, and yet pleaded for by some among us as Warrantable. Whatever Disputes there may be about the Morality of the Fourth Commandment, it is generally agreed amongst pious Christians, that this Day ought to be devoutly and religiously observ'd and kept holy; this the *Homilies* of our Church, and our Laws require. The Lord Chief Justice HALE, who was an excellent Christian as well as a great Lawyer, made it his Observation, that the more strictly he kept *Sunday*, the better Success he always had in his worldly Affairs the Week following.

1 Car. I. C. 1.

3 Car. I. C. 2.

29 Car. II.

C. 7.

His Life by  
Dr. Burnet  
late Bishop  
of Sarum.

1 Eliz. C. 2.  
23 Eliz. C. 1.  
3 Jac. I. C. 4.  
1 W. & M.  
Sess. 1. C. 18.

You are to present to this Court, all such Persons who do not come to Church, or some Religious Meeting, allowed by Law, every *Sunday*.

You are to enquire of Perjury, and Subornation of Perjury, which, as I observed before, does, in a great Measure, owe its dreadful Encrease to the impious Custom of profane Cursing and Swearing in common Conversation. These Offences of Perjury, and Subornation of Perjury, are more Heinous, and deserve a severer Punishment, because they are committed with Thought and great Deliberation, and carry along with them a high Affront to the Majesty of GOD, and great Injustice and Injury to Men; the Consequences of them are the Ruin of innocent Persons, who sometimes lose their Lives, and often their Estates, and good Names, by the false Oaths of perjured Wretches.

ALL these in their Nature are more immediate Offences against Almighty  
G O D,

GOD, and his Holy Religion established amongst us.

Y o u are likewise to enquire of such Offences, as are committed against your Neighbours, or Fellow Subjects, and which Injure them in their Persons, their Properties, or their Reputations.

Y o u are to enquire of Petty Larceny, which is Stealing any Thing under the Value of twelve Pence.

Y o u are also to present all Assaults, Batteries, Affrays ; and in general, all Breaches of the Peace, all forcible Entries, and Detainers of Lands and Tenements by Force.

A forcible Entry is, where one or more Persons, with Weapons not usually born, have violently entered into the House or Land of another ; or where one or more have entered peaceably, the Door being open, and there have forcibly put another out of Possession.

5 R. II. C. 7.

15 R. II. C. 2.

8 H. VI. C. 9.

31 Eliz. C. 11.

21 J. I. C. 15.



A forcible Detainer is, where one or more have entered peaceably into the House, or Land of another, and then have detained the Possession thereof with Force and Arms.

Y o u are to enquire of all Riots, Routs, and unlawful Assemblies.

A Riot is, where three  
34 E. III. C. 1.  
 17 R. II. C. 8.  
 13 H. IV. C. 7.  
 19 H. VII.  
 C. 13. Persons or more are met together to do an unlawful Act, as to beat a Man, lay open his Fence, and the like, and have done the same.

A Rout is, where three Persons or more have met together to do an unlawful Act, and move from the Place where they first met, but afterwards part without doing the Act.

A N unlawful Assembly is, when three Persons or more meet together to do an unlawful Act, and part without doing the same, or Moving forward for that Purpose.

Y o u are to present all  
5 & 6 Ed. VI.  
 C. 14. Forestallers, Regrators, and Ingrossers.

grossers. These our Laws esteem great Offenders, who without any real Cause, enhance the Price of Corn, and other Victuals, and thereby occasion Uneasiness, Discontent, and Murmuring, especially among the lower Sort of People.

FORESTALLING is, Buying up Commodities by the Way, before they come to Market.

REGRATING is, Buying Corn or other Victuals, in the Market, and Selling it again in the same Market, or in any other within four Miles.

ENGROSSING is, Buying up great Quantities of Corn, or other Victuals, and Selling the same again.

THESE Offenders, for the first Offence, forfeit the Value of the Goods, and are to suffer two Months Imprisonment: For the second Offence, double the Value of the Goods, and six Months Imprisonment: And for the third Offence they shall forfeit all their Goods, stand in the Pillory, and be Imprisoned during the King's Pleasure.

Y o u

You are to enquire of Barretry, Maintenance, Champerty, and Embrocery: These are also great Crimes, and it is Pity, that they are not oftner prosecuted.

BARRETRY is, Stirring up of Suits and Quarrels amongst the King's Subjects, which otherwise would be in Peace.

MAINTENANCE is, the Taking in Hand, Bearing up, or Upholding of Quarrels, or Sides, to the Disturbance or Hinderance of common Right.

CHAMPERTY is, the Maintaining and Carrying on of Suits and Causes, at their own Costs and Charges, to have Part of the Land or Thing in Question, or Part of the Gains.

EMBRACERY is, and an Embracerer is, one, that, when a Matter is at Trial, comes for a Reward to the Bar, being no Lawyer nor Witness, and speaks in Favour

33 E. I. Stat. 2.

1 E. III. C. 14.

20 E. III. C. 4.

1 R. II. C. 4.

33 E. I. Stat. 2.

3 Ed. I. C. 25.

33 E. I. Stat. 3.

38 E. III. C.

12.

Noy's Reports,

Fol. 102.



vour of one of the Parties, or labours the Jury, or uses any unlawful Practice, to make them give their Verdict as he would have them.

Y o u are to present all Bawdy-houses, Gaming-houses, disorderly Houses, and unlicensed Alehouses. Those Houses and Shops, where People frequently get drunk with *Geneva*, or other spirituous Liquors, are Indictable as disorderly Houses, whether they have or have not Licences.

NOTHING is more Destructive either to the Health or Industry of the poorer Sort of People, on whose Labour and Strength the Support of the Community so much depends, than the immoderate Drinking of *Geneva*. It is common for a starving Sot, intoxicated with this or the like Liquors, to behold his Rags and Nakedness with a stupid Indolence, and either in senseless Laughter, or in low and insipid Jests, to banter all Prudence and Frugality, drowning his pinching Cares, and losing, with his Reason,  
all

all anxious Reflections on a Wife, or Children, perhaps crying for Bread in a horrid empty Home. In hot Tempers, it lets loose the Tongue to all the Indecencies and Rudeness of the most provoking Language, as well as the most hellish Oaths and Curses, and which is frequently followed by Quarrels and Fightings, and sometimes has been the Cause of Murder. Besides all this, these Houses and Shops are the Receptacles of Thieves and Robbers, and often the Original of them too; for when a Wretch has spent and wasted that, which should support himself, and his Family, it is here, that they Associate and turn House-Breakers, and Street-Robbers, and so, by quick Progressions, at last make an Exit at the Gallows.

OUR Laws have not only taken a great Deal of Care to punish all Breaches of the Peace; but also in several Instances what only tends to a Breach of the Peace, as Challenging another to Fight; Also all Libels against private Per-

Persons are Indictable. For it is as just, that Reputation should be guarded and defended by Law, as that Property should.

THEREFORE Writing a scandalous Letter concerning any one, directed either to the Party himself, or to a third Person, is punishable in this Court; and putting such a Letter into the Post, hath been adjudged a Publication of the Libel.

You are to enquire if the Clerk of the Peace, Coroner, Gentleman Goaler, and all other Officers of this *Royalty*, perform their respective Duties.

WHETHER they, or any other judicial Officers, are guilty of Bribery, by Taking Gifts or Rewards to pervert Justice; or are guilty of Extortion, by Taking Fees, where none are due, or before they are due; or greater Fees than by Law are due to them; and particularly enquire of the Extortion of Goalers and Bailiffs.

D

You



Y o u are to enquire, whether the Offenders sent to the House of Correction are set to Work as they ought, and receive their due Punishments ; and whether the Governour or Keeper thereof doth his Duty therein. Of which a true Account is to be render'd every Quarter-Sessions.

I F any Constables omit or neglect to make Presentments to this Court of any Annoyances, common Nufances, or notorious Offences in their respective Neighbourhoods ; you ought to present such Constables.

Y o u are also to present all treasonable and seditious Libels against his Majesty and his Ministers of State, or other great Men, or Magistrates ; these are Indictable at common Law.

Y o u are to enquire of all publick Nufances, the Want of due Repairs in common Highways, Streets, and Pavements. But I refer you, for a more distinct

distinct and particular Account of these Offences, to my Charge given to the Grand Jury of the City and Liberty of *Westminster*, at the last *Easter* Quarter-Sessions held there, which that Court was pleased to Order to be Printed and Published ; a Copy of which I have directed to be given to each of you, GENTLEMEN, who are sworn upon this Grand Jury, for your Use on this present, or any future Service of this Kind.

GENTLEMEN,

THE Oath, that you have taken, obliges you to present all such Matters and Things, as come to your Knowledge, touching this present Service, as well as such Offences that shall be given you in Charge ; and by the Statute of the Third of King

<sup>3</sup>H.VII. C.1.

HENRY the Seventh, if a Grand Jury Conceal any Thing, which they ought to present, the Justices may, within a Year, impanel another Jury to enquire of such Concealment, and upon Conviction, Fine every one of the former Jury at

the Discretion of the Court. So earnestly the Law insists upon your doing your Duty. Therefore you must present all Nufances, Annoyances, Houses of Lewdness, and common Gaming; disorderly *Geneva*-shops, common Gamesters, common Drunkards, and Disturbers of the Peace, and all other Offenders within this *Royalty*, as far as shall come to the Knowledge of any of you; which if you neglect to do, and leave any unpresented for Love, Favour, or Affection, Gain, Reward or Hopes thereof, you'll break your promissory Oath; I mean, that solemn Appeal you lately made to the GOD of Truth, who will not fail to avenge it upon your selves, and your Families; *for he will not hold him guiltless, who takes his Name in vain.* But that you may the better keep your Oaths, and Discharge your Duty with the greater Sincerity and Diligence, let me advise you seriously to think of the General Appearance, which we must all  
 one



one Day make before the Awful Tribunal of the Great G O D, in Comparison of which, the most Solemn and August Judicature here upon Earth (tho' it may feintly Represent it to our Thoughts) is but a Piece of formal and vain Pageantry.

*FINIS.*



I am, Sir,  
 Very respectfully,  
 Your obedient servant,  
 J. B. [Signature]

REVISED

